

Stephen T. Gionfriddo, Chairman.; Louis A. Carta, Sec'y.; P&Z COMM.
Members: Paul P. Parisi, Sebastian J. Pasanesi, MEMBERS
Rose Sbalcio.; Alternates: Paul H. Bixby, Stephen Gadomski, PRESENT
Thomas E. Hutton, Jr, William A. Pillarella
Dir. P. W. Salvatore Fazzino, Ex-Officio.;

Cos Giuffrida, Vice-Chm.; Steven J. Leinwand, Member.; MEMBERS
Mayor Sebastian J. Garafalo, Ex-Officio.; ABSENT

Reporter, WCNX.; 12 members in audience.; OTHERS

Dir. George Reif, Hope Kasper, Beverly Augustine, STAFF
Naninni Martucci.;

Chairman Gionfriddo:
To call the meeting to order, in place of Commissioner Giuffrida we have
Commissioner Gadomski, in place of Commissioner Leinwand we have
Commissioner Pillarella, I think that's it. We will start with the
Public Hearing and we will ask the secretary to read the Legal Notice.

Sec'y Carta:
Legal Notice, Middletown Connecticut, the Middletown Planning and Zoning
Commission will hold a Public Hearing August 22, 1984, 7:00 p.m. in the
Council Chambers, Municipal Building deKoven Drive, Middletown, Connecticut
to consider the following: Published on August 10, 1984 and August 17,
1984. Number one, proposed special exception to permit a home occupation
office located at 30 Anderson Road in an R-1 zone. Applicant/agent
Hope P. Kasper/John T. Kasper.

John T. Kasper:
My name is John Kasper and I reside at 30 Anderson Road and I'm here for
a special exception to a zoning code. My wife has a part-time insurance
business she'd like to run out of her home. We set up an area inside the
house where she can do all her work, keep all her records and basicly use
it as a mailing address for correspondents. We don't really anticipate
anyone actually coming to the home or if there is going to be anyone coming
there they won't be coming in a large amount of traffic. Like I said she's
only going to be doing this part-time. There won't be any signs on the
yard or anything like that. That's basicly what I'm asking for.

Chairman Gionfriddo:
Any members of the Commission have any questions? If not, do you think
this can be put on the agenda later.

George Reif:
This doesn't seem like it's to controversial.

Louis Carta:
Just a quick question, is just your wife going to be operating in this
business will there be other people employed?

John T. Kasper:
No, there will be noone else employed.

Louis Carta:
I wasn't clear also on the point of will customers be coming or going?

John T. Kasper:
There may be a few, not too many though.

Sec'y Carta:
Serving the public in general?

John T. Kasper:
Yes, she is.

Louis Carta:
In other words, its a full insurance type business?

John T. Kasper:
Your right, but she's only doing it on a part-time basis, it isn't something were she has to do it from 8 in the morning to 5 in the evening. This would be like in glibs and grabs sort of to speak.

Louis Carta:
I have no more questions.

Chairman Gionfriddo:
Anyone else?

Rose Sbalcio:
Are you going to be putting up a sign?

John T. Kasper:
No, no sign.

Chairman Gionfriddo:
Anymore questions? If not thank you. Just to clarify the record then, Commissioner Bixby is now sitting for Commissioner Giuffrida and C Commissioner Gadomski is sitting for Commissioner Leiwand. Thank you. Anyone in the public wishing tp speak in favor of this proposal, anyone wishing to speak in opposition to the proposal? If not we'll close the public hearing in Item 1 and I'll entertain a motion if someone desires to make it item 6.7. Motion and a second is there any discussion if not all those in favor any opposed. Motion is approved we'll go to Item 2 of the Public Hearing

Sec'y Carta:
Item 2, a continued proposed 5 lot subdivision located on Arbutus Street in an R-1 zone. Applicant/agent Sebastian C. Mazzotta/T.F. Jackowiak.

Chairman Gionfriddo:
Mr. Mazzotta I understand that Mr. Jackowiak is not able to be present today so I guess you'll present it yourself. Why don't you just identify yourself. Why don't you explain to the Commission what it is your looking to do.

Mr. Mazzotta:
We're trying to get a subdivision of 5 lots. I realize at this point that the top lot is not approved so I'll go for a 4 lot subdivision.

Chairman Gionfriddo:
You understand that your going to have to bombine that top lot with one of your other lots and have the map redrawn. You know that right?

Mr. Mazzotta:

Yes.

Chairman Gionfriddo:

Any members of the Commission wish to ask any questions to Mr. Mazzotta?

Paul Parisi:

Is water and sewer in the area, I assume that lot 5 didn't pass the perk test?

George Reif:

That is correct.

Paul Parisi:

And the other 4 or 5?

George Reif:

Well our report from the Health Department says they haven't completed their test yet. Someone like the Chairman may have other information.

Chairman Gionfriddo:

It's my understanding that the other four lots are okay. But lot 5 is not the top lot.

Mr. Carta:

I have a procedural question. What we're hearing or what we had before in the Public Hearing this subdivision and what we're talking about is alter.

Chairman Gionfriddo:

Yes, he's going to have to come back with a revised map. We can't approve it based on this map.

Mr. Carta:

Are you going to combined that right away and total it right away with one or more of these other lots is that your intention.

Mr. Mazzotta:

Well, Mr. Jackowiak attended that theory, that's more of his line.

Mr. Carta:

You don't know what you want to do at this point?

Mr. Mazzotta:

At this point I don't want to comment on it.

Chairman Gionfriddo:

Is there any other question, anyone wishes to ask?

Mr. Carta :

Is it going to be withdrawn?

Chairman Gionfriddo:

I think he's going to come back with a revised map.

Mr. Mazzotta:

Excuse me?

Chairman Gionfriddo:

No he just ask me if it was going to be withdrawn and I said it's my understanding that there is going to be a revised map.

Mr. Carta:

Yes, we don't want to vote it down.

Chairman Gionfriddo:

No, I assume we're going to hold the public hearing open until the other map comes in.

George Reif:

Tomorrow you better agree to that because this is your second session this uses up your first one.

Chairman Gionfriddo:

Do you have any objection to us keeping this public hearing open for an additional meeting so that we can receive another map Mr. Jackowiak?

Mr. Mazzotta:

That's alright.

Chairman Gionfriddo:

Anyone have any questions or any other questions?

George Reif:

Let's establish when we're going to get the map so the public can have a chance to see it.

Chairman Gionfriddo:

He's not here, Ted is not here.

George Reif:

I realize that.

Chairman Gionfriddo:

Well, he's going to have to get it in on time so the public can see it before the next meeting, before the next hearing which is what, the twelveth. Tell Ted to get it in the Friday before the twelveth at least. If there is no other questions thank you. Is there any member of the public that wishes to speak in favor of this proposal? Is there any member of the public that wishes to speak in opposition? If not there is a motion to continue the public hearing until September twelveth. All those in favor. Any opposed. It will be continued until September twelveth. Go to item number 3.

Sec'y Carta:

Item number 3, proposed Zoning Code text amendment to Section Item 21.07, "Modification of Frontage and Area Requirements" of lots to be used for single family dwelling units in the vicinity of lots previously established with less frontage than now required in the zone. The specific change will be related to City sewer and water requirements. Proponent Planning and Zoning Commission. Stephen T. Gionfriddo, Chairman, Planning and Zoning Commission.

Chairman Gionfriddo:

George, why don't you explain what your intentions are here.

George Reif:

Okay, probably the simplest way to do it is to read the one paragraph that is in 21.07. It's in there now that we propose to delete and read the new text or the propose text. What's in there now says a new subdivisions along existing city streets may be approved by the Commission to have the same frontage and area as existing lots within 1,000 feet. If those lots were established prior to 1982 and the new lots have both City water and sewer provided that no new lot should have a frontage of less than 50 feet nor an area less than 7,500 square feet. That's what is there now, what is propose is a text which would say "New lots, to be used for single family dwellings, may be established by the Commission with less frontage and area than required in the zone if within 1000 feet of existing legal lots that were established prior to 1982 provided the new lots have: (1) at least fifty(50) feet of street frontage and 7,5000 square feet of area, and; (2) are served by City Water and Sewer or meet the Department of Health requirements for on site water and sewer system.

Chairman Gionfriddo:

So that's the basic change?

George Reif:

The basic change is that it will open the door to possible approval even if they didn't have City water and sewer. Another point which at least one of you I'm sure caught was that right now you have to these are only lots on existing city streets, the new proposal will allow lots on subdivisions which also included new streets.

Mr. Carta:

I have a little confusion George, around if they don't have City sewer and water. So if they have one it doesn't work either. Wasn't part of our purpose for this because of the Augeri subdivision which they had what appear to be a usable lot but through the regulations couldn't do anything with it. How does this affect that one?

George Reif:

Well, if it was adopted it could be consider in the final judge of whether or not that lot could be use would be the Health department I immediately want to call your attention to the fact that the health department has commented on this proposal and they require 40,000 square feet.

Chairman Gionfriddo:

Did that lot have it?

George Reif:

No, if they had it they wouldn't have been in trying to go back to an early time.

Mr. Carta:

I would like to make another comment which is you can look at in other towns and I don't know how or why they do this but in many other towns I think if you have either sewer or water they will reduce the square footage of the lot. I know that if you have sewage it will be quite easy to get water on the site.

George Reif:

That use to be true in Middletown but it's now the problem with sewage system or septic systems is much tougher than getting water.

Mr. Carta:

I know if you have sewer, what I'm talking about if a lot have sewers let's suppose it's only 20,000 square feet, they usually work quite well. They have City sewer and yet need a well they simply do work

George Reif:

The one lot being consider thats not the case its the other way around.

Chairman Gionfriddo:

Does anyone else have any questions with respect to this proposal?

Mr. Carta:

I like to also commit further on, I think it's a very, actually on the surface it may appear not to be much of a change I don't think they follow it closely. It's really important that in our tight City area that we've since change our wrong. We only in all the years that I've been on the commission be able to use that regulation which presently existed once. It's a very valuable regulation but due to the way it's written it can only apply one time and that is with some lots that were left over on the Heftel subdivision versus the new regulation allows for small parcels three, four, five acres, six seven eight small acreage within these areas that if you look on the tax accessors map are trunk up in very tiny little lots. Very difficult to subdivide larger lots in there now. Economically, doesn't really work as were with this subdivision you can stay in harmony with the neighbor. I mean with this regulation you stay in harmony with the neighborhood, which I think is good. I believe that one of them that came before us was the Mazzotta subdivision on Nathan Hale Road.

George Reif:

It came close, I don't think it every got before us.

Chairman Gionfriddo:

Well that will be coming back, it's in front of inland wetlands again.

Mr. Carta:

A typical example of an area develop long ago is very tight you got a small piece of land that exist which should be develop in harmony with that zone not with not with an R-1 zone that really doesn't exist in that area.

George Reif:

Can I said one thing, even if you find because of the Health department requirement that you can't go along with the total package there is merit in going along with that phase of it. You can do even if it's not on an existing street.

Mr. Carta:

That regulation was sited in your housing task force, as being very valuable but what they over look was the way it was written really not usable. This way the way it's being rewritten I think is very usable. It will open up those small pieces that couldn't be develop economically

Chairman Gionfriddo:

Is there any other questions or comments? If not is there anyone in the public that wishes to speak in favor of this proposal.

Antonio Gerry:

To the Chairman, members of the Commission my name is Antonio Gerry, I'd like to speak in favor of this proposal because I am sure that there are a lot of other people in the town that will be or are now in this situation. For example, my situation, my father-in-law will like to subdivide his land on Round Hill Road. Presently his whole lot is over 200 feet and if he did subdivide our lot would be over 100 feet. We do have access to City water off of South Main Street so we would have City water. My Father-in-law has given this property to us. If we don't get this lot approved we would have to spend over 30,000 dollars for another lot, so I want to speak in favor of this. Also, I'd like to ask Mr. Reif if this proposal was padded if we would be able to build on this lot?

George Reif:

Do you have 40,000 square feet on your proposed lot?

Antonio Gerry:

My father-in-law presently has over 30,000 square feet on his one lot.

George Reif:

Will the new lot have 40,000 square feet?

Antonio Gerry:

No it would not.

George Reif:

May I ask another question, does your father-in-law own the land further south of the land your concern with?

Antonio Gerry:

No he doesn't. There are relatives of my father-in-law all around this property.

Chairman Gionfriddo:

You didn't answer the question.

George Reif:

The answer is no. People with similar names, and the reason I asked the question is because people called in Realistate Agents and keep talking about this property and the own, Scirpos is his name and I thought Possibly he owns more land.

Antonio Gerry:

The answer is no. Even with this change he wouldn't be able to build on that.

George Reif:

No, not if you go in front of the Health department. With the change you would but not with the Health Department requirement for 40,000 square feet. What the change would accomodate

Antonio Gerry:

The Health Department requires 40,000 square feet to put a septic system in?

George Reif:

Yes.

Chairman Gionfriddo:

Commissioner Carta.

Mr. Carta:

I may be wrong here but just based on some knowledge I have I'm not exactly sure the state regulation, I've also seen people appeal a lot engineer subdivision engineer septic system to the state. When they can prove that the drainage system is efficient and there is room to renew the system at least once without getting people property and so on, they have approved it. At least I have some experience there that they haven't and may not anymore seeing that it is not a recent experience I have. But that's out of our hand, that's out of the Council hands and it goes between the Health department of Middletown and the State Health department of Hartford.

Chairman Gionfriddo:

In other words what it boils down to is by our change you may qualify but it's out of our hands if the State has a different regulation if there not willing to waive. So you may be in one of those catch 22's that you may fit in under City guidelines but not but not under State. In which case you couldn't get a permit from us.

Antonio Gerry:

What's going to an engineer about?

Chairman Gionfriddo:

Sal do you want to add something?

Mr. Fazzino:

I just want to add that I didn't know that the State has an area requirement lot. You usually look for an area concern with it's first system and it's secondary system. It's not saying that you need 50,000 or 45,000 square feet.

George Reif:

I think in your package you have the sheet from the Health department. It should be in your file.

Chairman Gionfriddo:

The thing is, I don't want to get into a Public hearing on that issue. Any thing else that you want to talk about on this proposal?

Antonio Gerry:

No thank you.

Chairman Gionfriddo:

Does anyone else wish to speak in favor of this proposal? Does anyone want to speak in opposition?

Wayne Reed:

Wayne Reed, 155 Country Club road and I don't like the term in opposition I thought we had train you to say ask questions. One of the questions I got George, If I can, you say that this presently controls just City

streets and if the change goes through it would be anywhere in Middletown that this could take affect, City streets, new streets, and new developements?

George Reif:

Yes, these would be new lots which could have the same frontage and area as the existing subdivision lots within a 1,000 feet.

Wayne Reed:

Okay, the next question I got is along the same line, would it be repeatable down the street by allowing one spot and then you go to the next spot and then you ask because it is now and then because it is now?

George Reif:

That is the reason for mentioning 1982, that was the year that this was originally adopted. It couldn't keep adding new lots, you have to have them based on things that were already established. So that was suppose to stop that.

Wayne Reed:

Okay, those were the only two questions I had on it and thank you.

Chairman Gionfriddo:

Anyone else have any comments or questions? If not we will close the Public Hearing on item #3.

Mr. Carta:

I would like to make a motion that we but that under new business as item #6.8.

Chairman Gionfriddo:

Is there a second?

Mr. Parisi:

Second.

Chairman Gionfriddo:

Any discussion? If not all those in favor, any oppose. That will be item #6.8.

Meeting adjourned at 7:30

ADJOURNMENT

Received at meeting of _____

Stephen T. Gionfriddo

P & Z Commission

Respectfully submitted,

Pamela J. Jones

Pamela J Jones